

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-18-90-GF-BMM-1

Plaintiff,

vs.

RAND MICHAEL EMINETH,

ORDER

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 17, 2021. (Doc. 213.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 16, 2021. (Doc. 210.) The United States accused Emineth of violating his conditions of supervised release by using methamphetamine on two separate occasions. (Doc. 197.)

At the revocation hearing, Emineth admitted to violation the conditions of his supervised release by using methamphetamine on two separate occasions. (Doc. 210.) Judge Johnston found that Emineth should not be revoked. He should not be placed in custody and that he should serve the remainder of his current term of supervised release. (Doc 213.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 213) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Rand Michael Emineth should not be revoked. Emineth will not be placed in custody. Emineth will serve the remainder of his current term of supervised release.

DATED this 17th day of March, 2021.



Brian Morris, Chief District Judge
United States District Court